

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JUDY D. MYERS,

Plaintiff,

vs.

ACE AMERICAN INS. CO., ET. AL.,

Defendants.

Case No. 4:05CV355SNL

ORDER

This matter is before the Court on defendant Van Gundy Ins. Co.'s motion to dismiss (#13), filed April 28, 2005. Plaintiff has filed a responsive pleading.

The instant motion was filed without benefit of a separate memorandum of law in support as required by Local Rule 4.01. The motion recites several legal defects in the plaintiff's first amended complaint, as well as several caselaw citations; however, it lacks any meaningful legal argument in support of any one of these "legal defects". In fact, the motion does not even state under what federal rule it seeks dismissal. The Court is not inclined to argue the defendant's position on these varied legal issues for it. Therefore, the Court will deny the motion as legally insufficient and in violation of Local Rule 4.01.

Accordingly,

IT IS HEREBY ORDERED that defendant Van Gundy Ins. Co.'s motion to dismiss (#13) be and is **DENIED** as it fails to comport with Local Rule 4.01.

Dated this 9th day of August, 2005.



SENIOR UNITED STATES DISTRICT JUDGE

